



**HUMAN RESOURCES OFFICE
TECHNICIAN / AGR ADMINISTRATIVE INSTRUCTION**

Number: 04-01

01-22-04

**COURT LEAVE
NO EXPIRATION**

1. The purpose of this TAAI is to reiterate the regulations regarding the use of court leave.
2. Technicians are authorized court leave when summoned in connection to serve as a juror, or as a witness in a nonofficial capacity on behalf of any judicial proceeding to which the United States, the District of Columbia, or a State or local government is a party (5 USC 6322(b)). If a technician is on annual leave when called to jury duty or witness service, court leave shall be substituted. No charge is made to annual leave for court service.
3. A technician is not entitled to court leave when the technician is excused or discharged by the court, either for an indefinite period, subject to call by the court or for a definite period in excess of 1 day. A technician may be charged annual leave if excused from jury service for 1 day or even a substantial part of a day.
4. When a technician is called for court service (as a witness or juror), the court order, subpoena, or summons must be presented to the supervisor as far in advance as possible. A certificate of attendance from the clerk of the court must be submitted to the supervisor for each day of court leave. Technicians who perform jury duty or witness service on behalf of a State or local court are paid jury duty fees. **Fees received for jury duty and witness service cannot be retained by the technician.** Allowances (mileage, parking, etc.) may be retained by the technician. If jury duty or witness service is performed on a non-duty day or a holiday, the technician is entitled to keep the fee. Jury fees may be waived by a technician but he/she is still liable to the U.S. Government for fees that would have been received.
5. The procedures for collection of court fees are:
 - a. Army Technicians: The payroll system generates a report for each technician coded for court leave. At that time, the Customer Services Representatives (CSR), USPFO, prepares a spreadsheet that indicates the total jury duty and witness services fees for each technician using court leave and it is forwarded to DFAS, Debt Section for processing. The debt is automatically deducted from the technician's pay (usually within two pay periods).
 - b. Air Force Technicians: The technician cashes the court check, writes a personal check (less the amount of allowances) made payable to DFAS, and forwards the check to the organization's Customer Services Representative (CSR), Technician Payroll, for processing.
6. If you have any questions, contact Nancy Hamilton, Human Resources Specialist, at CAGNET 63411, DSN 466-3411 or (916) 854-3411.


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